

Amendments to the Drawings:

The attached four replacement sheets of drawings which include Figs. 1-5 replace the original sheets of drawings which included Figs. 1-5. The corrected drawings are being submitted in compliance with 37 CFR 1.121(d).

Attachments: Four Replacement Sheets; Figs. 1-5

REMARKS

35 U.S.C. § 102

Claims 1-6, 8-12 and 14-17 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,342,007 to Wood et al. To anticipate a claim a single reference must disclose each and every limitation in the claim. As set forth below, Wood fails to disclose at least one limitation recited in each of claims 1-6, 8-12 and 14-17.

Wood discloses a video poker type game wherein a player being dealt four cards to a flush has the option to receive a fifth card randomly selected from the remaining nine cards of the same suit as the four cards to the flush. Should the player elect the option, the player is randomly dealt one of the nine cards of the same suit. Accordingly, the player is guaranteed to receive a winning outcome of a flush, and the corresponding payout. It is also possible, depending on the first four cards to the flush, that the player may receive a straight flush or royal flush. Importantly, Wood limits the cards from which the player receives the fifth card. That is, if the player receives four flush cards and then elects to receive the fifth card, the fifth card is selected from the remaining flush cards only. Consequently, all other cards, namely cards with other suits, are removed from the remaining deck.

To the contrary, the present invention comprises increasing the odds that a player will obtain a poker hand based on a starting hand. For example, should a player initially be dealt five cards of which three cards are to a royal flush, the player is provided a fourth card to the royal flush. Thereafter, the player receives a fifth card from all remaining cards in the one or more decks. Therefore, the player receives a random card from all remaining cards in the one or more decks and not a limited deck as with Wood and a winning outcome is by no means guaranteed. Each of the independent claims, namely 1, 10 and 15, recites randomly replacing each of the player's cards not common to the royal flush from the entire remaining deck of cards, not a limited pool of cards. Wood fails to disclose randomly replacing the fifth card from the entire remaining deck but specifically limits the deck to the other nine cards having the same suit as the four initial flush cards. The purpose of Wood is to guarantee the player a winning outcome after the player receives the four cards to the flush (column 2, lines 14-19). Indeed, Wood specifically teaches away

from the use of all cards remaining in the deck so that the odds are improved over the entire remaining deck of cards (column 4, lines 48-54). The purpose of the present invention is to provide a player with increased odds of achieving a certain winning outcome (e.g., royal flush) but not a guaranteed win or even an easy win. Therefore, the independent claims of the present application recite "partial completion of the royal flush such that the player has a higher probability, but less than 100 percent, of successfully drawing the royal flush" or "thereby increasing a probability of the player obtaining a royal flush, wherein the probability is less than 100 percent."

Another purpose of the present invention is to provide additional gaming revenue to the house. Such additional revenue is generated by an additional wager required by the player to participate in the feature of the present invention. Wood fails to disclose a required wager, after an initial wager, to participate in the flush feature of Wood. The independent claims have been amended to reflect an initial wager and second wager.

In summary, Wood fails to disclose the use of the entire deck to deal final cards and the additional wager. Moreover, the independent claims of the present application recite that no win is guaranteed after the one or more royal flush cards are provided to the player.

35 U.S.C. §103

Claims 7, 13 and 18 stand rejected under 35 U.S.C. §103 as obvious over Wood. Applicant incorporates herein the arguments from above. As independent claims 1, 10 and 15 are not anticipated by Wood, dependent claims 7, 13 and 18 depending therefrom are not rendered obvious.

CONCLUSION

It is respectfully submitted that the application is now in condition for allowance and, accordingly, reconsideration and allowance are respectfully requested. Should any questions remain regarding the allowability of the application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

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